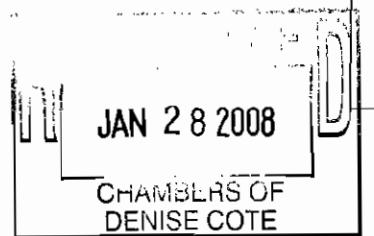


MEMO ENDORSED**CMK CARROLLMCNULTYKULL LLC**
COUNSELLORS AT LAW

January 28, 2008

By Hand

The Honorable Denise Cote
 U.S. District Court
 Southern District of New York
 500 Pearl Street
 Chambers 1040
 New York, New York 10007

570 Lexington Avenue
 10th Floor
 New York, NY 10022

212.252.0004 PHONE
 212.252.0444 FAX

120 Mountain View Boulevard
 Post Office Box 650
 Basking Ridge, NJ 07920

908.848.6300 PHONE
 908.848.6310 FAX

USDC SDNY
 DOCUMENT
 ELECTRONICALLY FILED
 DOC #: _____
 DATE FILED: 2/4/08

Re.: Travelers Casualty and Surety v. The Dormitory Authority of
the State of New York, et al
 Civil Action No.: 07 CV 6915 (DLC)

Dear Judge Cote:

This firm represents Fourth-Party Defendant, United States Fire Insurance Company ("U.S. Fire"), with respect to the above-referenced matter. We are writing today to respectfully request an extension of time on behalf of U.S. Fire to respond to the Fourth-Party Complaint of Trataros Construction, Inc. ("Trataros") and Travelers Casualty and Surety Company ("Travelers") (collectively referred to herein as "Trataros"). The reasons for this request are as follows.

The deadline for U.S. Fire to respond to the Fourth-Party Complaint was originally January 14, 2008. In the interim, however, U.S. Fire and Trataros entered into discussions as to whether some or all of the claims against U.S. Fire should properly be discontinued by Trataros. In a letter dated January 11, 2008, U.S. Fire provided Trataros with its contentions on this issue, including citations to cases in support of its position in favor of voluntary discontinuance by Trataros. In order to afford Trataros sufficient time to review and respond to the U.S. Fire letter, U.S. Fire's time to respond to the Fourth-Party Complaint was extended by stipulation to January 28, 2008, which, of course, is today.

On the afternoon of Friday, January 25, 2008, counsel for Trataros advised the undersigned that it had agreed to discontinue certain claims against U.S. Fire and that the undersigned should prepare a stipulation reflecting this agreement. The parties also agreed to extend U.S. Fire's time to respond to the remaining claims against it as set forth in the Fourth-Party Complaint. To that end, U.S. Fire requests that an extension of its time to respond to the Fourth-Party Complaint until February 11, 2008. This will afford the parties sufficient time to finalize the necessary



Page 2 of 2

stipulation and will allow U.S. Fire an appropriate amount of time to respond to the Fourth-Party Complaint.

The aforementioned negotiations served to streamline the claims herein, and the amicable resolution of these claims will surely inure to the benefit of the parties and this Honorable Court in terms of the expenditure of time and resources.

We therefore respectfully request that Your Honor grant this application as soon as possible, and we thank you in advance for your consideration of this request.

Very truly yours,

A handwritten signature in black ink, appearing to read "John P. DeFilippis".

cc: Eli Rogers, Esq. (by fax)
Driefuss Bonacci & Parker, LLP
Counsel for Fourth-Party Plaintiffs

A handwritten signature in black ink, appearing to read "Grant Heald".

A handwritten signature in black ink, appearing to read "James C. X."
A handwritten date in black ink, appearing to read "February 4, 2008".